

ASSIGNED
NO. 52138

Second Amended
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF
NEVADA

Date of filing in State Engineer's Office	<u>MAY 26 1988</u>
Returned to applicant for correction	<u>JUN 15 1988</u>
Corrected application filed	<u>MAR 13 1989</u>
Map filed	<u>MAR 13 1989 under 52136</u>

The applicant **John Torvik**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **3.0** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **131.08**
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, T.29N., R.19E., M.D.B. & M., or at a point which bears N. 77° 00' 00" E., a distance of 2,500 feet to the Witness Corner common to Sections 26 and 35, T.29N., R.19E., M.D.B. & M.**
6. Place of Use **Portions of Section 35, T.29N., R.19E., M.D.B. & M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well and diesel turbine pump**
9. Estimated cost of works **\$25,000.00**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **3 years**
12. Remarks: **APN 71-010-09**

By **s/James P. Haddan**
James P. Haddan, Agent
300 Hot Springs Road, #11
Carson City, Nevada 89706

Compared **dr/dl dr/cmf**

Protested **7/15/88 by Washoe County**
Protest overruled July 22, 2002. See Ruling #5142

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is used for the irrigation of 131.08 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 524.32 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

October 22, 2004

Proof of completion of work shall be filed before:

November 22, 2004

Water must be placed to beneficial use on or before:

October 22, 2007

Proof of the application of water to beneficial use shall be filed on or before:

November 22, 2007

Map in support of proof of beneficial use shall be filed on or before:

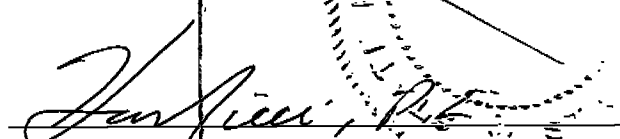
November 22, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 22nd day of October, A.D. 2002


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

